

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
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Civil Action No.: 04-10626 REK

U.S. DISTRICT COURT
DISTRICT OF MASS.

PRISCILLA DUNCAN, GARY PETERSON AND
MICHAEL ATHANAS, TRUSTEES OF MARBLEHEAD
HARBOR CONDOMINIUM TRUST,
PLAINTIFFS,

v.

MICHAEL D. BROWN DIRECTOR FEDERAL
EMERGENCY MANAGEMENT AGENCY
UNDER SECRETARY OF EMERGENCY
PREPAREDNESS AND RESPONSE OF THE
DEPARTMENT OF HOMELAND SECURITY,
DEFENDANT.

REQUEST FOR DEFAULT
[Pursuant to Rule 55(a)]

I, Jonathon D. Friedmann, Attorney for the above-named plaintiffs, Priscilla Duncan, Gary Peterson and Michael Athanas, Trustees of Marblehead Harbor Condominium Trust, state that the Complaint in which a judgment for affirmative relief is sought against the defendant was filed on March 31, 2004, and the Summons and a copy of the Complaint have been served on the defendant, Michael Sullivan, Director Federal Emergency Management Agency under Secretary Of Emergency Preparedness and Response of the Department of Homeland Security, on April 5, 2004, as appears from the sheriff's return of service, that the time within which the defendant shall serve a responsive pleading or otherwise defend pursuant to Rule 12(a), has expired and the

defendant herein has failed to serve or file an answer or otherwise defend as to the Complaint.


WHEREFORE, the plaintiffs, Priscilla Duncan, Gary Peterson and Michael Athanas, Trustees of Marblehead Harbor Condominium Trust, make application that the defendant, Michael Sullivan, Director Federal Emergency Management Agency under Secretary of Emergency Preparedness and Response of the Department of Homeland Security, be defaulted.

Dated at Boston, Massachusetts, this 12th day of July, 2004, under the pains and penalties of perjury.

Respectfully submitted,

Priscilla Duncan, Gary Peterson and
Michael Athanas, Trustees of Marblehead Harbor
Condominium Trust, Plaintiffs,

By their Attorney,



Jonathon D. Friedmann
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Rudolph Friedmann LLP
92 State Street
Boston, MA 02109
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Dated: July 12, 2004

CERTIFICATE OF SERVICE

I, Jonathon D. Friedmann, hereby certify that I have this day served a true copy of this document upon the opposing parties as listed below, by mailing a copy thereof this 12th day of July, 2004.



Jonathon D. Friedmann

Michael Sullivan
The United States Attorney
U.S. Courthouse
Suite 9200
1 Courthouse Way
Boston, MA 02110